IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 3RD NOVEMBER 2006 / 12TH KARTHIKA 1928

Bail Appl..No. 6511 of 2006

CRMP.3425/2006 of DISTRICT COURT, PALAKKAD
(CRIME NO.493/2006 OF OTTAPPALAM POLICE STATION)

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: PETITIONERS/ACCUSED

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1. DILEEP MON, S/O.SUBDARAN,
AGED 18 YEARS, MADAPULLIPADY HOUSE,
THIRUVILWAMALA POST, THRISSUR DISTRICT.

2. STALIN T.R.,
S/O.E.RAMACHANDRAN, AGED 18 YEARS,
ERULINKKATIL HOSUE, THOTTAKKARA POST,
OTTAPALAM, PALAKKAD DISTRICT.

3. RAJESH V., S/O.SARASWATHY AMMA,
AGED 20 YEARS, KALATHINGAL HOUSE,
MUNDAMUKA, SHORNUR, PALAKKAD DISTRICT.

BY ADV. SRI.M.V.BOSE
SRI.VINOD MADHAVAN
SMT.NISHA BOSE

RESPONDENTS:

THE STATE OF KERALA,
REP. BY ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 6511/2006

DATED THIS THE 3RD DAY OF NOVEMBER, 2006

O R D E R

The petitioners are accused Nos. 4, 5 and 6 in crime No.493/2006 of Ottappalam police Station, for the offence punishable under Sections 143, 147, 148, 341, 323 and 326 IPC read with Section 149 IPC, and they apprehend arrest. Hence this application under Section 438 Cr.P.C.

2. It is submitted by the prosecution that because of the faction fight between the students in the NSS College, Ottappalam, the petitioner and others had assaulted the injured and the second accused attacked the injured with an iron block.

3. The learned counsel for the petitioners submits that the petitioners were present in the College, but there is no over act alleged against them. However, the learned Public Prosecutor submits that the petitioners were involved in the occurrence and they were present along with accused Nos. 1 and 3 and the petitioners shared the

common object of assaulting the injured and others. It is also brought out that crime No.495/2006 is registered at the instance of the second accused, by the same police, as a counter case. Only the second accused sustained injuries.

4. After hearing both sides and considering the facts on record, I direct the petitioners to surrender before the Investigating Officer, who is investigating crime No.493/2006 of Ottappalam Police Station, on 9.11.2006 between 9.30 a.m and 10.00 a.m.

5. The Investigating Officer shall interrogate the petitioners and thereafter, produce them before the Court below, on the same day itself.

6. The learned Magistrate, on production of the petitioners, accused, shall allow them to be on bail, imposing such conditions, as are deemed necessary.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs